#### **REMARKS**

## I. <u>Introduction</u>

With the cancellation herein without prejudice of claims 99 and 102, claims 44, 47, and 50 to 98 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that the present application is in condition for immediate allowance, and reconsideration is respectfully requested.

### II. <u>Allowed Claims 44, 47, and 50 to 98</u>

Applicants note with appreciation the indication that claims 44, 47, and 50 to 98 are allowed.

## III. Rejection of Claims 99 and 102 Under 35 U.S.C. § 103(a)

Regarding the rejection of claims 99 and 102 under 35 U.S.C. § 103(a), although the merits of this rejection are not necessarily agreed with, to facilitate matters, claims 99 and 102 have been canceled herein without prejudice, thereby rendering moot the present rejection.

In view of the foregoing, withdrawal of this rejection is therefore respectfully requested.

#### IV. Fees

The Director is authorized to charge any and all fees that may be required in connection with this paper or this application to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. **11-0600**.

NY01 1967924 10

# V. <u>Conclusion</u>

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Date: July 26, 2010 By: /Clifford A. Ulrich/

Clifford A. Ulrich Reg. No. 42,194

**KENYON & KENYON LLP** 

One Broadway

New York, New York 10004

(212) 425-7200

**CUSTOMER NO. 26646** 

NY01 1967924 11